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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
TANNER JOEL HERNANDEZ-FIELDS,  
  
Defendant.

CASE NO. 1:20-CR-00221-DAD-BAM

STIPULATION TO CONTINUE CHANGE OF  
PLEA AND EXCLUDE TIME UNDER SPEEDY  
TRIAL ACT; FINDINGS AND ORDER

DATE: August 16, 2021  
TIME: 1:00 p.m.  
COURT: Hon. Dale A. Drozd

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for change of plea on August 16, 2021.  
2. By this stipulation, defendant now moves to continue the change of plea until August 30, 2021, and to exclude time between August 16, 2021, and August 30, 2021, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes numerous reports, search warrants, recorded statements, and electronic devices. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

b) Counsel for defendant desires additional time to consult with his client, to review the current charges, to conduct investigation and research related to the charges including mitigation information for sentencing, and to prepare his client for the change of plea.

c) Counsel for defendant believes that failure to grant the above-requested continuance would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of August 16, 2021 to August 30, 2021, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: August 5, 2021

PHILLIP A. TALBERT  
Acting United States Attorney

/s/ LAURA D. WITHERS  
LAURA D. WITHERS  
Assistant United States Attorney

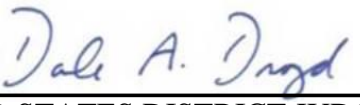
1 Dated: August 5, 2021

/s/ DOUGLAS C. FOSTER  
DOUGLAS C. FOSTER  
Counsel for Defendant  
TANNER JOEL HERNANDEZ-  
FIELDS

6 **FINDINGS AND ORDER**

7 IT IS SO ORDERED.

8 Dated: **August 5, 2021**

  
UNITED STATES DISTRICT JUDGE